



April 27, 1999

Theodore J. Kaczynski
04475-046
P.O. Box 8500
Florence, CO 81226-8500

Dear Ted,

The following is the result of the legal read-through with Jeffrey Miller. You will also find a draft of the letter that my lawyers have advised me to send to your brother with regard to our plan to publish letters by him and your mother.

The first thing that Miller would like to know is exactly what the following people told the media. I do not think that it is necessary for you to tell him anything, since I am perfectly capable of doing the research and giving him the appropriate articles. The list is as follows: Dale Eickelman, Patrick McIntosh, Joel Schwartz, John Masters, Russell Mosny, Chris Waits, Professor Saari, Ellen Tarmichael, and Linda Patrik. As I said, this will not pose a very time-consuming task for me. I provide the list in the event that there is something in particular that you would like me to show to Miller in connection with the legal read. He has also asked me to request from you all of the relevant investigator reports so he can check them against the manuscript.

It will be most expedient to go page to page and list the changes that Miller has indicated for legal clearance. A number preceding the letter "t" indicates line numbers from the top, and the reverse holds true for the letter "b". All changes indicated will be added to the mss here, of course, but I need to know that you approve before anything is done.

P. 6, 6-5b: "and he or she... information with caution." should be deleted. He does not want you to indicate doubt with regard to your repetition of information that comes from an unreliable source. The act of repeating the information is libelous. The fact that you have doubt can be interpreted in the courts as irresponsibility, and is actionable if someone claims that you have libeled them through such an act of "irresponsibility."

P. 7 10-5b: Miller asked me the general question that he thinks any litigious person would ask: Are the investigators' reports reliable or not? Since you rely rather heavily on them at times, he advocates the omission of the following (7-5b): "(I was told... was not done in my case.)" For instance, there is a very important piece of information supplied by Sharlette Holdman (or Investigator # 2) with regard to David's psychological dependence on LP (p.392 3-14t).

P. 12 8t: "conscious lies" > "serious errors"

10t: "journalists may often" > "journalists may possibly"

P. 13 3t: "assume that they may have been" > "know of at least one person who was" NB: It is only necessary to have someone who can vouch for information. Eileen Lundberg told me that she and her husband, , had been paid to appear on a television program called "Extra."

5t: "therefore would make the most money" > "therefore might make the most..."

8t: the addition of "perhaps" before "allowed their memories..."

P.16: I have been asked to verify death, or the probability of him saying that the KGB were gunning for his ass. I will ask is she knows, although given the amount of time she has spent in Lincoln it might make more sense to ask the Lundbergs. Let me know what you think on this score.

P. 19: Miller wants to verify that Benny Bedwell is dead. Since he was famous during the fifties, and derelict, it seems likely. I will see what I can come up with.

P. 22-23, 1b/1t: Re. G.Da. and Mosny. Miller needs an academic transcript to prove that they flunked out of the University of Illinois. He would also clear the following substitution: "and flunked out" > "and their academic careers were less than stellar."

P. 23 5b: Miller would like this paragraph to begin with the following clause: "Although I know of at least one case of a person receiving payment for an interview,"

P. 31 6b: "whereas others find it difficult" > "whereas others would seem to find it..."

P. 56, last paragraph: Miller would like to use the language provided by you re the reporters accuracy and lying. It is courting disaster to use the phrase "obviously intentional" the same goes for the last note (#33) on

P. 59: *see above.*

P. 64 6b: "As my playmates grew older they began ..." > "As my playmates grew older some began ..."

P. 78 7-9t: "my mother told me she'd heard" > omit "she'd heard"; "B.O. had gotten into trouble with the police" > "B.O. had some trouble with the police."; omit the rest of the sentence (*i.e.*, "but, in view of... whether this is true." Again, Miller is reacting to the effect of the doubt factor on the outcome of any possible litigation.

P. 156 4b: "One kid, G." > omit "G."

2b: omit "Co."

1b: omit "R.W."

P. 174 6b: It will be necessary to say what the grotesque account was that Saari reported.

P. 176 10-5b: We will need to verify that McIntosh never received his Ph.D. and that he got a C in advanced calculus.

P. 192 nt 8 line1: This is one of the investigator reports that Miller wants to see.

P. 235 6t: "nothing he wrote was ever published" > He published one story. (*see p. 387 4b*)

P. 241 third paragraph: replace "Neither Dale... in these passages." with "Based on my own experience and observation, these accounts by Dale Es.'s and K.H. En.'s present a substantially accurate general picture of my brother's housekeeping habits."

P. 251 7t: Miller wants to replace _____ with "Ms. X" throughout.

P. 254 3b: Miller needs to have some indication that K.H.En. was an "admitted thief." Did he admit that he was a thief to the police or court? Miller needs some corroboration before clearing the statement of potential libel problems. (*see next item*)

P. 272 note 42: If Miller can see this letter to your parents it may serve as the needed "indication" that Miller has requested in connection with the above item.

P.282 5t: "and even a sadistic streak" > "and maybe even a sadistic streak"

P. 286 5t: "She was a sexual sadist." > "She was, in my opinion, a sexual sadist."

P. 292 1-3t: "Sexual peculiarities are commonplace... hurting me" > "Sexual peculiarities are of course commonplace. I am not at all sure if she knew how much she was hurting me with what I took to be her sexual peculiarities..."

P. 318 11b: Again, we need to confirm that _____ is dead.

P 329-330 1b-1t: We need to confirm that your cousin _____ was diagnosed with schizophrenia or delete her name (unless she is no longer alive).

P. 366 5t: "apart from the two _____ > "apart from _____ and Ms. X"

P. 368 paragraph 3: The allegations here could be changed to make them less actionable. I am pretty sure that I have convinced Miller that between note 24 on page 392 and that fact that Linda Patrik is undoubtedly a public figure, none of what you say here is actionable. Having said that, to save time, I will provide you with his changes in the event that he won't clear the text as it stands: 8b: "she had no interest" > "she didn't seem to have any interest"; "but she liked to use" > "but seemed to like using"

P. 377 4b: is mentioned again. Must verify diagnosis or change to "[our cousin's]".

P. 400 1-5t: Miller wants to know what the specific context in which David's remarks about morality were written.

P. 426 1-5t 1st¶: Please supply the language you created for this situation with regard to lying and litigious reporters.

P. 471 10-11b: Omit "Burns's information is highly unreliable, so the reader need not take his assessment of Murphy very seriously. However" For the same reasons regarding your expression of doubt and the manner in which your doubt might invite inquiry into possible law suits.

P.526 10t: "I haven't seen it, but I'm told it's even" > "I never read it's probably even worse"

P. 528 4b: Omit " . . . and" (It's . . .) Initial cap: "The authors..."

P. 529 1b: "R.M.R. is just flat-out lying." > "went/goes beyond customary distortion" or "went/goes overboard".

And that is all Miller flagged for potential clearance problems.

just called as I was typing the above paragraph. She has asked me to type in the following: "Are you going to tell him what a love I am?" She adds, since I was about to mention her to you, ^{that} she was speculatively correct in her last letter on the heading of the electromagnetic spectrum. And that is all I am willing to input here as amanuensis, I just told that she needs to write a letter to you now. She claims to be "on strike" – I doubt it. (She just told me to add that she is not on strike.) Stop.

I am leaving for Los Angeles tomorrow at 5 and have a meeting with an interesting avant-garde filmmaker Slava Tsukerman (Russian jew) who is very interested in corresponding with you about the possibility of collaborating with you on a film. He's pretty well-known for a film entitled "Liquid Sky." Another well-known filmmaker, Jim Jarmusch, is also interested. I have told them that the chances are small and that you would have to have control of the manner in which the film unfolded. I advocate that you take this position to avoid any unwelcome distortion. Any film-related projects you accept should include a contractual agreement that allows you to "okay" the important elements. I'm checking out Tsukerman tonight. I know that he is not a member of the media trust, but not much more. Also: I like him.

As for the letter to your brother, if he wants to meet with me I will try to ask the questions you gave me earlier. We may be able to get a few things done at the same time (i.e., permissions and useful information about the alleged "shutdowns"). I apologize for the roughness of this letter, but I am horribly pressed for time. I look forward to your next letter and hope that you are well.

Yours,
Beau.

Beau Friedlander
Publisher

DRAFT

Date TK

David Kaczynski
1266 Keyes Avenue
Schenectady, NY 12309-5728

Dear David Kaczynski,

I am sure you are now aware of my plan to publish a book written by your brother Ted. As you are probably also aware, all of the revenue from the book that would ordinarily accrue to the author will be going instead into an escrow account that will be held for the Unabomber's victims or their survivors.

I am writing to you at this particular juncture for several reasons. Given your close involvement with the victims of the Unabom crimes, I am wondering whether you would be willing to give me some guidance on distributing any contents of the escrow account among the victims and their families.

I am also interested in being of some assistance in the exchange of permissions with regard to publication of Ted's letters by you, and the publication of letters from you and your mother by Ted. This could include the resolution of any questions associated with your publication of Ted's correspondence to you and your mother up to this point, and clear the use of them in your own future writings. I could also arrange to get copies of your letters to Ted, in the event that you no longer have copies, since he has preserved them.

An exchange of permissions would be my recommendation. The only alternative would be to meticulously tailor Ted's use of family letters to meet the legal fair use standard, but I think that everyone will gain in the end by an exchange of permissions.

I look forward to talking to you at your earliest convenience. If you would like to meet, I would be able to come up to Schenectady to discuss the matter further. I can be reached at: 212-571-4866, or by email at: beau@contextbooks.com.

Yours sincerely,